

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

DANIEL W. MARTIN,

Plaintiff,

v.

ROGER L. GALLA, et al.,

Defendants.

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No. 22-05007-CV-SW-DPR

ORDER

Before the Court is Plaintiff's Motion for Court-Appointed Expert Witness. (Doc. 65.) Pursuant to Rule 706 of the Federal Rules of Evidence, Plaintiff moves the Court to appoint a neutral expert on the issues of economic damages and life care planning. Defendants Roger L. Galla and Loggins Logistics, Inc. filed a Response in Opposition. (Doc. 72.) Defendants Eduardo Nemecio and Schneider National Carriers, Inc. also filed Suggestions in Opposition. (Doc. 73.) Plaintiff filed Reply Suggestions in Support. (Doc. 83.)

Upon review, and as set forth in Defendants' responses, the Court finds that the ordinary adversarial process will suffice in this action. Plaintiff is represented by counsel and may select and hire expert witnesses to use at trial. Accordingly, the Court does not find the "compelling circumstances" required to appoint an expert witness. *Toney v. Hakala*, 556 F.App'x 570, 571 (8th Cir. 2014) (cleaned up). Therefore, Plaintiff's Motion for Court-Appointed Expert Witness is **DENIED**.

IT IS SO ORDERED.

/s/ David P. Rush

DAVID P. RUSH

UNITED STATES MAGISTRATE JUDGE

DATE: August 29, 2022